

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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In re the Matter of:
Omar Kassem Alesayi & Co. Ltd.

Serial No.: 76/057,967

Mark: LUNA

Publication For Opposition: April 15, 2003
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05-09-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #22

Box TTAB/NO FEE
Asst. Commissioner for Trademarks
2900 Crystal drive
Arlington, VA 22202-3513

FIRST REQUEST FOR EXTENSION OF TIME TO OPPOSE

Pursuant to Trademark Rule 2.102, Mineralbrunnen Ueberkingen-Teinach AG and ACB Marken GMBH ("Mineralbrunnen/ACB") potential opposer herein, through its authorized attorney, respectfully requests a sixty (60) day extension of time, up to and including July 14, 2003, to file a Notice of Opposition to the referenced application for LUNA published for opposition on April 15, 2003 and applied for by Omar Kassem Alesayi & Co. Ltd., with an address at 6th Floor Alesayi Plaza, Baghdadiya, Medina Road P.O. Box 8680 Jeddah, 21492 Saudi Arabia.

The first thirty (30) day extension is automatic upon request. Additional extensions may be granted upon a showing of good cause if requested prior to expiration of the existing extension. *See* Lanham Act § 13, 15 U.S.C.A. § 1063 (as amended eff. Feb. 27, 1983); § 20:5. It is possible to combine the first two requests for extension and obtain an initial sixty-day extension by stating grounds for good cause.

Good cause for such extension is shown because Applicant's mark is very similar to a trademark owned by Mineralbrunnen/ACB and registered with the United States Patent and Trademark Office. The additional time is needed so that Mineralbrunnen/ACB can evaluate the Applicant's mark to determine whether any likelihood of confusion exists in view of Mineralbrunnen/ACB's trademarks for BLUNA, Registration No. 986,526 (acquired by assignment) and to allow Mineralbrunnen/ACB further time to obtain a copy of the prosecution file of Applicant's mark and to prepare a Notice of Opposition, if necessary.

This Request is submitted in triplicate in accordance with the rules of practice of the Patent and Trademark Office.

WHEREFORE, it is respectfully requested that this extension be granted.

Respectfully submitted,

FULBRIGHT & JAWORSKI L.L.P.

Date: May 9, 2003

666 Fifth Avenue
New York, NY 10103
Phone (212) 318-3182
Fax (212) 318-3400

By: 

Leon Medzhibovsky

TTAB

BLU-005

"Express Mail" mailing label No.

Date of Deposit: May 15, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.R.I. 1.10 on the date indicated above and is addressed to Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

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05-09-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

Debra E. Kukik

(Name And Signature Of Person Mailing Paper Or Fee)

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TRANSMITTAL LETTER

Box TTAB/NO FEE

Assistant Commissioner for Trademarks

2900 Crystal Drive

Arlington, Virginia 22202-3513

Sir:

Enclosed are the following:

1. First Request for Extension of Time to Oppose (in triplicate); and;
2. One postcard for acknowledgment.

The Commissioner is authorized to charge any additional fees associated with this filing, or credit any overpayments, to Deposit Account No. 50-0624, Order No. BLU-003. A duplicate copy of this transmittal letter is attached for accounting purposes.

Dated: May 9 2003
New York, NY

Respectfully submitted,
FULBRIGHT & JAWORSKI L.L.P.

666 Fifth Avenue
New York, New York 10103
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By

Leon Medzhibovsky
Leon Medzhibovsky